

## STATEMENT OF BASIS (AI No. 40232)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0109614 to discharge to waters of the State of Louisiana.

**THE APPLICANT IS:** Industrial Chemicals, Inc.

121 Southpark Road  
Lafayette, LA 70508

**ISSUING OFFICE:** Louisiana Department of Environmental Quality (LDEQ)

Office of Environmental Services  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

**PREPARED BY:** Molly Hebert

**DATE PREPARED:** January 9, 2007

### 1. PERMIT STATUS

#### A. Reason For Permit Action:

Permit re-issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term

B. NPDES permit - NPDES permit effective date: N/A  
NPDES permit expiration date: N/A

C. LPDES permits - LPDES permit effective date: June 1, 2002  
LPDES permit expiration date: May 31, 2007

D. Date Application Received: November 27, 2006

### 2. FACILITY INFORMATION

#### A. FACILITY TYPE/ACTIVITY - bulk terminal and distribution center

Industrial Chemicals, Inc. is an existing bulk terminal and chemical distribution center. Current tanks are above ground storage. Products are transferred in and out of the facility via tanker trucks. Sanitary wastewater is discharged to the municipal sewer system. Stormwater from the tank containment areas is treated and discharged via Outfall 001. As per LAC33:IX.2511.B.14.k, stormwater discharges from facilities classified as SIC Code 5169 are not considered to be associated with industrial activities. However, a SWP3 and an outfall are included in the permit since there is a potential for stormwater contamination from processes including loading and unloading chemicals.

#### B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II; In Appendix A - Section IV (Relation of 1987 to 1977 Industries) of the *Standard Industrial Classification Manual*, the SIC code 5169 is equivalent to a previous SIC code of 5161.
3. Wastewater Type: II
4. SIC code: 5169

C. LOCATION - 121 Southpark Road, Lafayette, Lafayette Parish  
Latitude 30 10' 10", Longitude 91 58' 54"

### 3. OUTFALL INFORMATION

Outfall 001

Discharge Type: stormwater from the tank containment areas  
Treatment: extended aeration and clarification with bacteria and polymer treatment  
Location: at the point of discharge from the treatment system pipe located in the eastern portion of the facility prior to mixing with any other waters  
Flow: variable; estimated at 3500 gallons/inch rainfall  
Discharge Route: Coulee des Poches

### 4. RECEIVING WATERS

STREAM - Coulee des Poches

BASIN AND SEGMENT - Vermilion-Teche Basin, Segment 060801

DESIGNATED USES - a. primary contact recreation  
b. secondary contact recreation  
c. propagation of fish and wildlife  
f. agriculture

### 5. TMDL STATUS

Subsegment 060801, Coulee des Poches via local drainage, is not listed on LDEQ's Final 2004 303(d) list as impaired. However, subsegment 060801 was previously listed as impaired for phosphorus, nitrogen, organic enrichment/low DO, pathogen indicators, suspended solids/turbidity/siltation, and carbofuran for which the below TMDL's have been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDL's and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

The following TMDL's have been established for subsegment 060801: *Vermilion River Dissolved Oxygen and Nitrogen TMDL* (Federal Register Notice: Volume 66, Number 66, pages 18087-18089 (4/5/2001)), *Vermilion River Fecal Coliform TMDL* (Federal Register Notice: Volume 66, Number 66, pages 18087-18089 (4/5/2001)), *TMDL for TSS, Turbidity and Siltation for the 15 subsegments in the Vermilion River Basin* (Federal Register Notice: Volume 67, Number 85, pages 22080 - 22082 (5/2/2002)), *TMDL for the Pesticide Carbofuran in the Mermentau and Vermilion Teche - River Basins* (Federal Register Notice: Volume 67, Number 55, pages 13144 - 13145 (3/21/02)).

Carbofuran, Nitrate + Nitrite (as N), phosphorus, suspended solids/turbidity/siltation, and pathogen indicators are NOT among the effluent characteristics described in the application nor expected in this discharge. Therefore the discharge should not cause or contribute to further impairment of the receiving water body nor should it cause or contribute to the violation of state water quality standards.

*Vermilion River Dissolved Oxygen and Nitrogen TMDL* (Federal Register Notice: Volume 66, Number 66, pages 18087-18089 (4/5/2001)) – The DEQ TMDL for Vermilion River Oxygen Demand was incorporated into the EPA TMDL. This TMDL established WLAs for sanitary dischargers and process outfalls of Food Processors and Seafood Processors. This discharge was not assigned a WLA, nor is it expected to significantly contribute to DO loadings in the receiving waterbody. OC limits have been included in the permit per LDEQ stormwater policy and the previously issued permit. TOC requirements will regulate oxygen-demanding substances associated with this discharge type.

## 6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

## 7. COMPLIANCE HISTORY/COMMENTS

1. WQMD – There are no inspections of file as of January 10, 2007.
2. DMR Review/Excursions – There are only 2 DMRS on file for the previous two years. The following excursions were noted.

Date	Parameter	Outfall	Reported Value	Permit Limits
4/06-6/06	Toluene	001	1 mg/l	0.1 mg/l
1/05-3/05	TOC	001	554 mg/l	50 mg/l

## 8. EXISTING EFFLUENT LIMITS

Outfall 001 – treated stormwater runoff

Parameter	Monthly Avg (mg/l) Report	Daily Max (mg/l) Report	Sample Frequency
Flow			1/quarter
TOC	---	50	1/quarter
Toluene	---	0.1	1/quarter
Oil and Grease	---	15	1/quarter
pH	6.0 su Min	9.0 su Max	1/quarter

## 9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 060801 of the Vermilion-Teche Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated September 29, 2006 from Watson (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

#### **10. HISTORIC SITES**

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

#### **11. TENTATIVE DETERMINATION**

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

#### **12. PUBLIC NOTICES**

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

### Rationale for Industrial Chemicals, Inc.

1. **Outfall 001** - stormwater (estimated flow is 3500 g/min during rainfall events)

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg:Daily Max (mg/l)	<u>Reference</u>
Flow	--- : Report	*, BPJ
TOC	--- : 50	*, BPJ
Oil & Grease	--- :15	*, BPJ
Toluene	--- : 0.1	*, BPJ
pH	6.0 su – 9.0 su (min) (max)	*, BPJ

**Treatment:** extended aeration and clarification with bacteria and polymer treatment

**Monitoring Frequency:** 1/quarter

#### Limits Justification:

These limits are based on the previously issued permit and BPJ. The current commodity list is similar to that of the previous permit. The facility now handles fewer chemicals overall and one new commodity, ethylene glycol monbutyl ether (see Attachment A for complete list). The above limits should be protective of the receiving waterway. The toluene limit remains a permit condition. Per guidance for permitting chemical bulk terminals, when products containing toluene are stored, toluene must be monitored.

\* previous permit  
BPJ Best Professional Judgement  
su Standard Units

### STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

As per LAC33:IX.2511.B.14.k, stormwater discharges from facilities classified as SIC Code 5169 are not considered to be associated with industrial activities. However, a SWP3 is included in the permit since there is a potential for stormwater contamination from processes, including loading and unloading chemicals.

The SWP3 shall be prepared, implemented, and maintained within six (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility (see Facility Specific Requirements of the permit).